

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
:
SANJAY SOOKUL
:
On behalf of herself and all others similarly
:
situated,
:
Plaintiff, 24-CV-508 (VSB)
:
-against-
:
COLLECTORS CHOICE COMICS LLC,
:
Defendant.
:
:
-----X**ORDER**VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on January 24, 2024, (Doc. 1), and filed an affirmation of service on January 25, 2024, (Doc. 4). The deadline for Defendant to respond to Plaintiff's complaint was February 15, 2024. On July 24, 2024, I directed Plaintiff to seek default judgment by no later than August 21, 2024. (Doc. 5.) I warned, "If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I will dismiss Plaintiff's claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." (*Id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute this case.

Accordingly, Plaintiff's claims are dismissed without prejudice pursuant to Rule 41(b).

The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: August 26, 2024
New York, New York



VERNON S. BRODERICK
United States District Judge